(8)

AO 455(Rev. 5/85) Waiver of Indictment

FILED
APR 17 2008
CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY DEPUTY

## UNITED STATES DISTRICT COURT

## SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA

v.

EPIFANIO MARTINEZ-HERNANDEZ

**WAIVER OF INDICTMENT**

CASE NUMBER: 08cr1227-BEN

I, EPIFANIO MARTINEZ-HERNANDEZ, the above named defendant, who is accused of committing the following offense:

Title 8, U.S.C., Sec. 1325 - Illegal Entry (Misdemeanor); Title 8, U.S.C., Sec. 1325 - Illegal Entry (Felony),

being advised of the nature of the charge(s), the proposed information, and of my rights, hereby waive in open court on APRIL 17, 2008 prosecution by indictment and consent that the proceeding may be by information rather than by indictment.

Epifanio mtz Hez
Defendant

Kenneth R. McMullan
Counsel for Defendant

Before
JUDICIAL OFFICER